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Attorneys for Plaintiffs
 JAREK MOLSKI
 and DISABILITY RIGHTS
 ENFORCEMENT, EDUCATION,
 SERVICES: HELPING YOU
 HELP OTHERS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

JAREK MOLSKI, an individual; and)
 DISABILITY RIGHTS ENFORCEMENT,)
 EDUCATION, SERVICES: HELPING)
 YOU HELP OTHERS, a California public)
 benefit corporation,)
 Plaintiffs,)
 v.)
 LUGANO SWISS BISTRO; ANDRE)
 LENGACHER and NARGIS DIN)
 LENGACHER, dba LUGANO SWISS)
 BISTRO,)
 Defendants.)

CASE NO. C04-4713 RS

**STIPULATION AND ~~[PROPOSED]~~
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE AND
 GRANTING EXTENSION OF TIME FOR
 DEFENDANTS ANDRE LENGACHER and
 NARGIS DIN LENGACHER, TO
 RESPOND TO COMPLAINT**

MODIFIED BY THE COURT

Plaintiffs JAREK MOLSKI, an individual; and DISABILITY RIGHTS
 ENFORCEMENT, EDUCATION SERVICES: HELPING YOU HELP OTHERS, a California
 public benefit corporation, through their undersigned counsel, and defendants ANDRE
 LENGACHER and NARGIS DIN LENGACHER, stipulate as follows:

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1. WHEREAS Defendants ANDRE LENGACHER and NARGIS DIN LENGACHER were served with the Summons and Complaint on January 18, 2005;
2. WHEREAS Defendants ANDRE LENGACHER and NARGIS DIN LENGACHER are currently unrepresented;
3. WHEREAS a partial settlement with Defendants ANDRE LENGACHER and NARGIS DIN LENGACHER has been reached since the filing of the previous Stipulation;
4. WHEREAS the Plaintiffs filed an Amended Complaint on July 19, 2005 which adds the owner of the real property as a defendant;
5. WHEREAS a complete settlement of all claims brought by Plaintiffs require joinder of the owner of the real property as an indispensable party;
6. WHEREAS the parties are confident that they will be able to finalize a settlement after the owner of the real property is brought into the case; and,
7. WHEREAS the parties do not wish to incur the expense of preparing and reviewing an Answer and appearing for a scheduling conference without first having the opportunity to resolve this on their own.

IT IS HEREBY STIPULATED THAT:

1. The Case Management Conference currently on calendar for July 27, 2005 at 2:30 P.M. shall be VACATED and CONTINUED for ninety (90) days to afford the parties additional time to resolve the matter without further litigation;

2. Defendants ANDRE LENGACHER and NARGIS DIN LENGACHER, are granted an extension of time to and including September 19, 2005 to answer or otherwise respond to plaintiffs' complaint;

3. In the event defendants ANDRE LENGACHER and NARGIS DIN LENGACHER, file a motion in lieu of an answer to plaintiffs' complaint, the hearing on such motion shall be set on a date no sooner than 45 days from the filing of said motion;

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1 4. Defendants further stipulate that they will comply with any and all due dates
2 dictated by the Federal Rules of Civil Procedure, the Local Rules of Court, and/or any
3 scheduling order issued by the court prior to the date on which defendants' responsive pleading
4 is due hereunder.

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6 IT IS SO STIPULATED.

7 DATED: July 19, 2005

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

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10 By: /s/
Kristina M. Wertz
11 Attorneys for Plaintiffs JAREK MOLSKI, and
12 DISABILITY RIGHTS ENFORCEMENT,
13 EDUCATION SERVICES: HELPING YOU HELP
OTHERS

14 DATED: July 19, 2005

PRO PER

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16 By: /s/
Defendant ANDRE LENGACHER

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18 DATED: July 19, 2005

PRO PER

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20 By: /s/
Defendant NARGIS DIN LENGACHER

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ORDER

The Case Management Conference currently on calendar for July 27, 2005 at 2:30 P.M. is hereby CONTINUED to October 26, 2005 at 2:30 p.m. Defendants ANDRE LENGACHER and NARGIS DIN LENGACHER are granted an extension of time up to and including September 19, 2005 to answer or otherwise respond to plaintiffs' complaint. Defendants shall make a determination regarding the issue of consent to the jurisdiction of the Magistrate Judge and file the appropriate form no later than September 19, 2005. Plaintiffs shall serve this Order on all defendants.
IT IS SO ORDERED.

DATED: July 25, 2005, 2005

By: /s/ Richard Seeborg

Hon. Richard Seeborg
UNITED STATES MAGISTRATE JUDGE